

REMARKS

Claims 1-56 are pending.

By this Amendment, the Cross-Reference To Related Applications section of the specification has been updated to reflect an additional related co-pending U.S. patent application.

The April 28, 2009 Office Action issued by the U.S. Patent and Trademark Office indicated that examination of the above-identified patent application will be restricted to one of the following allegedly distinct groups of claims:


- I. Claims 1-11, 20, 21 and 39-43, drawn to a method of performing an automatic and rapid auditory screening test on a patient by presenting modulated noise stimulus to provide a pass/fail test result indicating whether the patient passed or failed the screening test;
- II. Claims 12-19, 22-38 and 51-56, drawn to a method and apparatus for testing auditory function of a patient presenting at least one ramp stimulus to compute the subject's threshold for the at least one ramp stimulus; and
- III. Claims 44-50, drawn to a method of optimizing modulation frequencies in an audiometric test to provide modulated stimulus for objectively evaluating the auditory system of a patient.

Applicant hereby elects, without traverse, to prosecute group I. Claims readable on group I include pending claims 1-11, 20, 21 and 39-43.

This response is being filed concurrently with a petition for an extension of time of five-months. The Patent Office is hereby authorized to charge any required fees, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
COOPER & DUNHAM LLP
Tel.: (212) 278-0400